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might have attacked with some hope of finding the support of the legal profession, and that is the prevailing method of disposing of the question whether matter should be admitted into or excluded from the mails. It is contrary to principle to leave what is after all a question of right to the practically final decision of an administrative official; practically final because the resort to the courts is precarious and offers no guaranty of independent review. Here, as in other matters left to the discretion of the department in Washington, the law should provide a method of review with at least some of the guaranties of impartiality and judicial spirit.

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ERNST FREUND

*Charity and Social Life.* A Short Study of Religious and Social Thought in Relation to Charitable Methods and Institutions.  
By C. S. LOCH. New York: Macmillan, 1910. Pp. xii+496.  
\$2 net.

In the words of the Preface, "this book is for the most part a reprint of an article on 'Charity and Charities' which was first published in 1902 in the supplementary volumes of the *Encyclopaedia Britannica*." Inasmuch as the same article appears in the latest edition of the great British reference work, the views and conclusions of the volume in hand will reach a much wider audience than the book itself.

Essentially the work is a history and a collection of precepts. It presents in outline the doctrines, methods, and results of charity, from the earliest known times to the latest, together with the author's ideas concerning sound doctrines and efficient methods. Both the historical and the didactic parts have been written with especial reference to social considerations. In his historical discussion the author treats of the bearing of social thought and action, whether civil, ethical, or religious, upon charitable thought and action; and of the effect of charitable actions, theories, methods, and institutions upon social welfare and social progress. When he endeavors to formulate correct statements of theory and method, he likewise lays particular stress upon the capacities and needs of society. The principal topics dealt with are: the primitive pagans, the Greeks, the Romans, the Hebrews, the early Christians, the parish organization ancient and modern, mediaeval and modern endowments, monasticism, feudalism, the guilds, mediaeval revision of theory, the Reformation, the Poor Law, voluntary charity immediately after the enactment of that measure, the progress of charitable thought in the eighteenth and nineteenth centuries, the relation of charity to sociology

and economics, present-day charity organization, problems, and methods, and finally a chapter on the famous Report of the Royal Commission on the Poor Law. While the author's review of pre-Reformation times covers Europe generally, his discussion of subsequent conditions is confined almost entirely to England.

The author's conception of charity is broad and elevated. It means "a disciplined and habitual mood in which the mind is considerate of the welfare of others individually and generally, and devises what is for their real good, and in which the intelligence and the will strive to fulfil the mind's purpose. . . . If the world were so poor that no one could make a gift, or so wealthy that no one needed it, charity—the charity of life and of deeds—would remain" (p. 4). No less sound and fundamental is his view of the place of the family in the history of charity: "The test of progress or decadence appears to be the condition of the family" (p. 7). Excellent also is his general principle regarding the aim of charitable relief: "To prevent distress, charity has for its further object to preserve and develop the manhood and womanhood of individuals and their self-maintenance in and through the family; and any form of state intervention is approved or disapproved by the same standard" (p. 352). No exception can be taken to this statement of correct method: "The method of treatment requires that cases of distress—applications for assistance—should be dealt with individually and thoroughly" (p. 444). In the historical part his enumeration of the various types, forms, and theories of charity is fairly complete, and his judgments of pre-Christian charity and of the English Poor Law seem to be accurate and discriminating.

Nevertheless, the two main and distinctive conclusions of the book are antiquated and unconvincing. They may be formulated thus: first, the greater part of the charitable relief provided by the Christian church down to the end of the Middle Ages was misdirected and socially harmful, owing to wrong motives and bad methods; second, since by far the larger part of distress is due to individual rather than social causes, state relief of any entire class, whether by old-age pensions, the feeding of school children, or minimum-wage laws, is individually and socially injurious. The considerations, influences, and prepossessions which have produced these two conclusions are to a great extent the same, namely, inadequate knowledge of some facts, and a one-sided view of others; and excessive emphasis upon the evil of liberal schemes of relief, and upon the value of individual treatment.

With regard to the historical conclusion, the author seems to arrive

at it mainly from his consideration of the supernatural motive that was so prominently placed before Christians. He seems to think that the average Christian regarded the act of giving as morally good, independently of its effect upon the recipient. "Hence endless failure in spite of some success" (p. 203; cf. pp. 202-9, 216, and *passim*). Both the premise and the conclusion involve questions of fact, yet the author adduces no adequate basis of fact, nor cites any authority either contemporary with or subsequent to the times that he is discussing. Now, the facts of the situation are: first, no Christian authority ever taught that the heavenly reward promised by Christ to those who assisted the neighbor (Matt. 25:34-40) could be obtained through almsgiving which was harmful to the person receiving the gift, or which took no thought of results; second, from the beginning the Christian teachers and pastors insisted upon the duty of investigation in charitable giving, as may be seen in the *Didache*, which was written at the end of the first century; in the writings of Basil, Ambrose, Jerome, Chrysostom; and in the decrees of numerous church councils. In the words of Professor Ashley, "it is not difficult to adduce a long catena of passages from the Fathers and from the canons of councils, which declare in the most explicit fashion the duty of investigation. . . . It must be allowed that so far as the theory of almsgiving is concerned, the mediaeval church was free from the fault that has been attributed to it" (*English Economic History*, II, 315, 316). In the third place, the proportion of unwise giving varied widely during the different periods of pre-Reformation history. For the first six centuries of the Christian era the relief of the poor was probably attended by fewer abuses and misuses than during any subsequent period down to the present. In the seventh and the eighth centuries there was a considerable decline, which was checked by the reorganization of charitable activity under Charlemagne; at the end of the ninth century there began another period of disorganization which continued for about two hundred years; from the twelfth to the fifteenth century, inclusive, the poor were as a rule very well cared for, but there was a considerable amount of indiscriminate giving, and unwise charity generally. Neither in this nor in any preceding period, however, were the shortcomings in this respect so great as to deserve the sweeping condemnation which Mr. Loch passes upon the entire sixteen centuries: "endless failure in spite of some success." Possibly he has, like so many others, been misled by the unsupported generalizations of Emminghaus. Had he been more fully acquainted with the works of Ratzinger, Ehrle, Lallemand, and Uhlhorn, he would have found it impossible to write this amazing sentence.

If he had been satisfied with the statement that the duty of investigating cases that seemed to call for relief was less strongly emphasized before the Reformation than in these days of organized charity, he would have been on safe and easily established ground. Almost all the preachers of and writers on charity of the former period were more intent upon inducing men to give generously than upon warning them against unwise giving. On the whole their policy was, comparatively speaking, justified by the results. During the mediaeval period, the amount of unrelieved want was, relatively to the resources and standards of living then prevailing, less than it has been at any time since. Ample proof of this assertion may be found in the pages of any first-class economic historian. Nor is there anything in Mr. Loch's volume to show that the proportionally greater amount of existing poverty is a smaller social evil than the proportionally greater amount of indiscriminate charity in the Middle Ages.

Passing over this almost complete failure to understand the monastic attitude toward life and charity (pp. 230-33), his equally remarkable misunderstanding of the mediaeval view of the family, his ostensibly fundamental but really superficial generalizations in the chapter entitled "Mediaeval Revision of the Theory of Charity," we take note of one other pronouncement of the author in the domain of history. It will help to show how his historical and his theoretical judgments spring in part from a common source. By far the most distinctive and most fruitful social doctrine of Christianity is that which declares that the owner of property holds his goods in trust for God and his fellows, and is morally bound to devote all that is "superfluous" (all that is not required to meet his own reasonable wants) to the needs of his neighbor. More than any other influence this doctrine has diminished selfishness, and promoted the conception of wealth as a social possession and a social responsibility. Yet Mr. Loch merely mentions it, and then only to condemn it. "The distribution of all 'superfluous' income in the the form of alms would have the effect of a huge endowment, and would stereotype 'the poor' as a permanent and unprogressive class" (p. 261). Now the doctrine in question never restricted the giving of superfluous goods to the form of alms; it comprehended every kind of distribution that might be beneficial to one's fellows. Hence it included educational, religious, and civic disbursements, as well as those for immediate material relief. If the present possessors of superfluous goods could all be induced to dispose of them intelligently in all these ways, the problem of poverty would be much nearer to a solution than it is likely to be for some time

to come. In the presence of the gain in social and brotherly feeling and intelligence which such action on the part of the propertied classes would imply, we could regard with entire complacency the results of that "huge endowment" which is so greatly feared by the author. He is so impressed by his knowledge of the evils often attendant upon large schemes of beneficent work that he underestimates the evil of existing poverty, and overestimates the sufficiency of individual remedies.

This brings us to the second of the two antiquated and unconvincing conclusions noted above, namely, that state relief of any entire class is bad, and consequently that the English old-age pensions and minimum-wage laws are to be condemned. By way of attempting to prove these propositions he points out the demoralizing effects of the *Annona civica* of Greece and Rome, and of the English Poor Law previous to 1834 (pp. 308, 315, 350, 364-66, 392, 408, 414, 415, and *passim*). Moreover, the intervention of the state is unnecessary. In common with the other leaders of the London Charity Organization Society, he assumes "that the conditions of our social and industrial system are satisfactory enough, and that when failure occurs the fault is to be found not in the circumstances but in the character of the person who fails" (*Philanthropy and the State*, by B. Kirkman Bray, p. 115). That this quotation from another high English authority on charity correctly represents the position of Mr. Loch is abundantly shown from the pages of the volume before us. Hence he maintains that if the individual character be properly strengthened wages are in almost all cases sufficient to provide adequately for present needs, and to make payments for insurance against sickness, unemployment, and old age (pp. 354, 386, 387, 468-73, and elsewhere). The minority who fail to accomplish this must apparently be allowed to "pass down along the road to destitution"; for "destitution cannot disappear" (p. 393).

Without attempting to characterize the view or the viewpoint suggested in the last sentence, let us examine the author's contentions concerning individual responsibility for distress, and individual capacity for self-help. The former is well called by Mr. Gray, "the fundamental error of the Charity Organization Society" (*loc. cit.*). It not only leads him to overestimate the power of recuperation in the average individual, but apparently makes him hopelessly blind to the plainest facts of industrial and social life. According to the estimate of Professor Bowley, 32 per cent of the men employed in regular occupations in the United Kingdom receive less than twenty-five shillings a week; yet Mr. Rowntree declares that twenty-three shillings and eight pence is the

absolute minimum upon which a family of five "can be maintained in a state of physical efficiency" (*Contemporary Review*, October, 1911, pp. 453-55). The figures of Professor Bowley do not include the hundreds of thousands of irregularly employed workers, whose rates of wages are much lower. Here, then, we see 32 per cent of the regularly employed laborers getting wages which leave them almost nothing "for sick clubs or trade unions, or beer or tobacco, or amusements or newspapers, or trams or traveling, or writing materials or stamps; and if an evening paper is bought, or the children have coppers given them to go and see the moving pictures, physical efficiency suffers." It is physically impossible for them to contribute those payments for insurance which Mr. Loch so blithely declares that the majority of both skilled and unskilled laborers are able to meet (p. 468). How does he deal with such statistics of wages as those we are now discussing? Apparently by the simple method of evasion. Not the amount of means, but the use of them relatively to station in life, is the important thing, he informs us (p. 386). "Everywhere one may see people of similar means living under similar conditions, some successfully and usefully, some with failure and social inutility" (p. 387). Because some persons are in distress through misuse of resources, and because others are able to keep out of distress through individual effort despite their lack of adequate resources, it follows that *all* who are in poverty are there by their own fault, and remain there for the same reason. To apply the words of that keen observer and analyst, John A. Hobson, who is speaking of the Charity Organization Society leader generally: "He does not reason to this judgment, but, with infantile simplicity, assumes it" (*The Crisis of Liberalism*, p. 205. The entire chapter from which this sentence is quoted is a severe but just criticism of Mr. Loch and his collaborators). The author admits, by implication at least, that some distress is due wholly or chiefly to economic causes, but, instead of dealing with this point in any systematic way, he places such emphasis upon the individual causes as to suggest that the latter only are deserving of practical consideration (pp. 474, 475, and elsewhere).

American authorities on organized charity have long since discarded, if they ever held, this preposterous individualist theory. While they insist quite as strongly as their English brethren upon the study of facts, they are much more thorough and scientific in their conception of facts that are pertinent. They take into account not only the facts of the individual "case," but also those "larger social and economic facts" which, in the words of Hobson, "do not come within the ken of

the [English] Charity Organization Society" (*op. cit.*, p. 206). Their attitude is well stated in the words of Dr. Devine: "If I have rightly conceived the dominant idea of the modern philanthropy it is embodied in the determination to seek out and to strike effectively at those organized forces of evil, those particular causes of dependence and intolerable living conditions which are beyond the control of the individuals whom they injure and whom they too often destroy. Other tasks for other ages. This be the glory of ours, that the social causes of dependence shall be destroyed" (Presidential Address at the National Conference of Charities and Correction, May, 1906).

The leaders in the American movement realize that social causes are frequently primary, and must, therefore, be dealt with specifically. In their view, even perfect individual character cannot protect itself against destitution in the absence of sufficient material resources, or in the presence of working and living conditions which are destructive of energy and health. They demand that amount of social protection which industrial facts show to be an irreducible minimum. This means a minimum wage (fixed by law if necessary) sufficient for health, working efficiency, and adequate insurance, together with a reasonable minimum of protection in the matter of safety, sanitation, hours and kind of labor, and other conditions of employment. And the minimum is to be determined by the needs and capacities of the average person, the majority of persons, not the exceptional person. This minimum is not a merely abstract conception. It represents a definite range of social facts which are so susceptible of measurement and statement as a hundred other groups of social facts. Among the charity workers of America this situation is squarely faced. There is no attempt at evasion, neither by intimating that the concept of a minimum is artificial and useless, nor by diverting the attention to those exceptional individuals who can get along on less than the currently stated minimum. If the average Englishman cannot support a family and provide for the future on less than thirty shillings a week, why, he cannot do so, and the appeal to the case of the exceptional man becomes irrelevant and impertinent. Suppose that through the alchemy of his "individual treatment" Mr. Loch were able tomorrow to lift all the poverty-stricken persons of his country into a condition of physical and moral efficiency: the social arrangements denoted by the low rates of wages quoted above would within a very short time reduce this group or some other group into the same old poverty and the same old physical and moral inefficiency. In a word, social causes must be met by social means, and individual



causes by individual means. When the social causes have all been removed, when the irreducible minimum of living and working conditions has been established everywhere, then all the cases of distress will properly be treated as due to individual fault or individual misfortune, and as curable by individual remedies. Until that day arrives, men who see "through shams and shows into the heart of things" will reject both the interpretation of facts and the recommendation of methods put forward in Mr. Loch's volume.

One final observation. Mr. Hobson reminds us that "the philosophy which finds the only momentum of social reform in the moral energy of the individual members of the masses is just that smart sophistry which the secret self-interest of the comfortable classes has always been weaving in order to avoid impertinent and inconvenient searching into the foundations of social inequality" (*op. cit.*, p. 216). While Mr. Loch advocates this individualist theory because he believes in it himself, his writings are undoubtedly very pleasing to all the beneficiaries of existing social abuses. When he intimates that to abolish starvation-wages by law would be "to transfer the wealth of one class to another" (p. 387), he is no doubt convincing to all who hold that the present distributive system can do no wrong. Like Malthusianism, this individualist theory of poverty has derived much of its vogue from the fact that it "tended to relieve the rich and powerful of responsibility for the condition of the working classes, by showing that the latter had chiefly themselves to blame, and not either the negligence of their superiors or the institutions of the country" (Ingram, *A History of Political Economy*, p. 121). But it no longer wins the assent either of the masses or of any considerable proportion of disinterested persons. It is hopelessly bankrupt and discredited.

JOHN A. RYAN

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*The Educational Views and Influence of DeWitt Clinton.* By EDWARD A. FITZPATRICK. New York: Teachers College, Columbia University Contributions to Education, 1911. Pp. 157. \$1.50.

This work is significant as an intensive study from original documents, many of which are in manuscript form, of one important phase of the development of American education during the first part of the nineteenth century. DeWitt Clinton's many-sided social activity included as one of its important phases an energetic participation in